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8 Attorneys for Complainant
 9 United States of America

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

| | | |
|--------------------------|---|----------------------------------|
| 12 IN THE MATTER OF THE |) | CR Misc. No. <i>MJ11-1971</i> |
| EXTRADITION OF |) | |
| 13 |) | <u>[PROPOSED] ORDER GRANTING</u> |
| NINDERJIT SINGH |) | <u>GOVERNMENT'S REQUEST FOR</u> |
| 14 (aka Ninderjit Soos), |) | <u>DETENTION</u> |
| 15 A fugitive from the |) | |
| Government of Canada |) | |
| 16 |) | |
| 17 |) | |

18 Upon consideration of the request of the United States for
 19 the detention of fugitive NINDERJIT SINGH ("SINGH") pending
 20 extradition proceedings, and good cause therefor appearing,

21 IT IS HEREBY ORDERED that said request is GRANTED, the Court
 22 making the following findings of fact and conclusions of law:

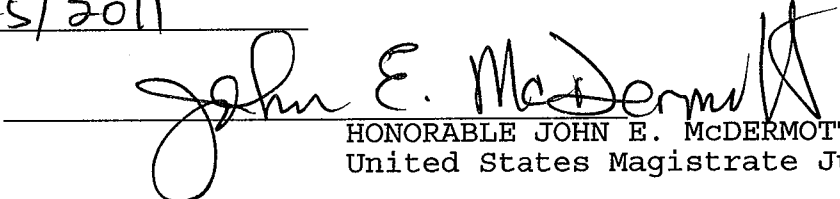
23 1. In foreign extradition matters there is a presumption
 24 against bail and only "special circumstances" will justify
 25 release on bail. United States v. Salerno, 878 F.2d 317, 317
 26 (9th Cir. 1989); see also Matter of Extradition of Smyth 976 F.2d
 27 1535, 1535-36 (9th Cir. 1992); Kamrin v. United States, 725 F.2d
 28 1225, 1228 (9th Cir. 1984). The burden of showing special
 circumstances rests upon the fugitive. See, e.g., Salerno, 878

1 F.2d at 317-18. Here, SINGH does not argue that "special
2 circumstances" exist, and the Court finds that no such "special
3 circumstances" exist.

4 2. The government alternatively requests detention on
5 the grounds that SINGH presents an unacceptable risk of (a)
6 flight; and (b) danger to the community, even if such special
7 circumstances were present. In support of its request, the
8 government proffers the complaint, the provisional arrest
9 warrant, and the Pretrial Services report with its recommendation
10 of detention. Based on the allegations in the extradition
11 complaint concerning SINGH's offenses in Canada, namely First
12 Degree Murder and Attempted Murder, the Court finds that SINGH
13 poses a potential risk to the safety of the community. This
14 conclusion is also supported by the discovery of four firearms
15 inside SINGH's home at the time of his arrest. Based on the
16 allegations in the extradition complaint concerning SINGH's
17 efforts to evade law enforcement and discovery here in the United
18 States, SINGH is also a risk of flight, particularly in light of
19 SINGH's immigration status in the United States.

20 IT IS SO ORDERED.

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22 DATED: 8/25/2011

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24 
25 HONORABLE JOHN E. McDERMOTT
26 United States Magistrate Judge
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